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C. REMARKS

In general, Applicants' claimed invention has been amended (and claim 9 added) to clarify the terms used in the claims and their relationships as originally claimed and as described in the specification. Applicants' claimed invention provides a first translation of a document. Then a second translation, in the same language but using a different translation method, is made for only that portion of the document, or that portion of text, within the document, that has been changed, i.e., updated. This changed text then carries an indicator associated with it. As such, the document has a combination of first translated unchanged text and second translated changed text having an indicator for the changed text. No new matter has been added in making the amendments to the claims. For example, see Fig. 2.

Redpath teaches more than one type of translated version of a document, but does not teach or suggest that within the same document there is more than one type of translation. Likewise Redpath does not teach or suggest that only the changed portions are translated using a different type of translation. Instead Redpath retranslates the entire document that may now be a new version. As such Redpath teaches away from the claimed invention. Redpath teaches having a separate file name for each type.

Likewise, Tao does not teach or suggest the claimed invention. Tao does teach grammar markers. But the grammar markers are associated with a word that may have grammatical variations in a target language but not in the source language. Tao does not teach or suggested marking or indicating "each of the given changes...within the

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document". Tao will provide grammatical markers in the first initial translation based on grammar rules, and not based on whether portions of the document have been changed/updated.

As such, the combination of Redpath and Tao does not teach or suggest the claimed invention since the combination would have separate files for each type of translated document. Within each file would be grammar markers for certain words, but those marked words would not be indicative of what text had changed from a previous version. As such, the combination does not teach or suggest a National Language document having a combination of first translated unchanged text from the initial level and second translated changed text having an indicator for the changed text, as claimed in Applicants' claimed invention.

<div align="center">Claim Rejections – 35 U.S.C. § 102(e)</div>

Claims 1-5 stand rejected under 35 U.S.C. §102(e) as being anticipated by Redpath, U.S. Patent No. 5,884,246 (hereinafter "Redpath"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksma*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because Redpath does not teach or suggest each and every element of claims 1-5 or enable each and every element of these claims, claims 1-5 are not anticipated. The rejection should be withdrawn, and the claims should be allowed.

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Redpath does not teach or suggest the following elements of claim 1 and similar elements in Claim 4:

"second translating given changes to the initial level into the at least one National Language version using a lower quality translation and taking a second amount of average translation time per word less than the first amount of average translation time per word",

"indicating, using an indication for each of the given changes within the at least one National Language version of the document at least one of i) that the indicated text is not to be regarded as the final translated text, and ii) a further translation of the lower quality translation will be made available at a later time", and

"first delivering the document with the given changes in the native language and in the at least one National Language having the indication;

wherein the delivered document in the National Language has a combination of first translated unchanged text from the initial level and second translated changed text having an indicator for the changed text."

Responsive to Examiner's rejection of claims 1 and 4, Applicants submit that Redpath does not teach or enable "second translating given changes to the initial level into the at least one National Language version using a lower quality translation and taking a second amount of average translation time per word less than the first amount of average translation time per word" as claimed by Applicants. The Office Action stated that *"if an original document version newer than a translated previous version of the document*

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exists. performing a machine translation, Col. 7, Lines 36-40". However, Applicants

respectfully note that the subject matter of the second translating step as claimed by

Applicants is that of "translating given changes to the initial level" and not of translating

the "original document" as taught by Redpath, wherein Redpath teaches that "[i]f neither

translated version of the origin document is found to exist, or if the translated versions are

not newer than the origin version, then a machine translation version of the origin

document is created, and this newly created version is returned to the requester" (Col. 7,

36-40) Redpath is not concerned with translating given changes to a document, but

instead is concerned "to prevent translation of old versions of a document to be sent to a

document requester" (Col. 2, lines 30-32) by teaching that the original document is

translated where "[o]ne of the created filenames is the filename that would be used for a

machine translation version of the origin document, the other filename that would be used

for human-translated version of the origin document, or a human translator enhanced

version of the machine translation version" (Col. 7, lines 15-20). Thus, not only does

Redpath not teach "translating given changes to the initial level" but also teaches away

from Applicants' claimed invention by requiring to translate the complete document and

not the "given changes" as claimed.

Applicants further submit that Redpath does not teach Applicants' claimed invention,

"indicating, using an indication, in the at least one National Language version at least one

of i) that the indicated text is not to be regarded as the final translated text, and ii) a further

translation of the lower quality translation will be made available at a later time." The

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Examiner asserted that Redpath teaches this limitation stating that *"filenames used to indicate whether a translation is a perfected translation, Col 7, Lines 22-26)."* Applicants respectfully traverse that assertion. Redpath differentiates between machine translation and perfect translation by teaching "if a German translation of a document is requested, the filename 'documentname.de.gen' is created to represent the machine translation version of the document, and the filename 'documentname.de' is created to represent the perfect version of the document (Step 104)" (Col. 7, lines 22-26). Redpath does not teach using any indication in any of the translated versions that the indicated text is not to be regarded as the final translated text, nor does it teach that a further translation of the machine translation version will be made available at a later date, as claimed by Applicants. Instead, Redpath teaches away from Applicants' invention by teaching that "[i]f the generated file is newer than the original file, indicating that it is current, then the generated file is transmitted to the requester (Step 118). Otherwise, if the generated document is found to be older than the origin document, processing proceeds to Step 110, and a new machine translation file is created, saved and transmitted to the requester, as per Steps 110 through 114." (Col. 7, lines 59-65). Thus, Redpath teaches that the machine translation file is created, saved and transmitted to the requester, teaching away from indicating that the indicated text is not to be regarded as the final translated text, and teaching away from indicating that a further translation will be made at a later time, as claimed by Applicants.

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Thus, in light of the above argument submitting that claims 1 and 4 not being anticipated by Redpath, Applicants respectfully request allowance of claims 1 and 4.

Responsive to Examiner's rejection of claims 2 and 3, Applicants submit that Redpath does not anticipate dependent claims 2 and 3 because Redpath does not anticipate independent claim 1, from which claims 2 and 3 depend. Dependent claims 2 and 3 contain all the limitations of independent claim 1. Therefore, Applicants respectfully request allowance of claims 2 and 3. Likewise, responsive to Examiner's rejection of claim 5, Applicants submit that Redpath does not anticipate dependent claim 5 because Redpath does not anticipate independent claim 4, from which claim 5 depends. Dependent claim 5 contains all the limitations of independent claim 4. Therefore, Applicants respectfully request allowance of claim 5.

Claims 6-8 have been canceled herein.

Although neither Redpath nor Tou teach Applicants' claimed invention, Applicants submit that even any combination of Redpath and Tou still does not teach or suggest Applicants' claimed invention. In particular, neither Redpath nor Tou is concerned with "translating given changes to the initial level" but both teach away from Applicants' claimed invention, by Redpath requiring to translate the complete document and not the "given changes" as claimed, and by Tou providing for self-correction of grammar in a translation, and not operating on "given changes" as claimed by Applicants.

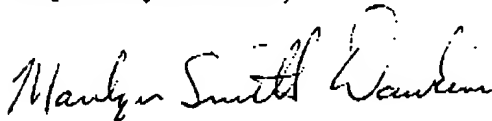AUS9-2000-0819US1   12

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Thus, any combination of Redpath and Tou still would not teach Applicants' claimed
invention.

The other references cited by the Examiner in the Notice of References Cited have
been considered by Applicants, and none have been found to teach or suggest Applicants'
claimed invention.

Conclusion

In view of the foregoing, withdrawal of the rejections and the allowance of the
current pending claims are respectfully requested. If the Examiner feels that the pending
claims could be allowed with minor changes, the Examiner is invited to telephone the
undersigned to discuss an Examiner's Amendment.

Respectfully submitted,

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